IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

FRIDAY, THE 3RD AUGUST 2007 / 12TH SRAVANA 1929

WP(C).No. 29667 of 2005(F)

PETITIONER:

BINDU M.K., LOWER DIVISION CLERK,
GOVERNMENT VOCATIONAL HIGHER SECONDARY SCHOOL,
KAYYUR, P.O. KAYYUR, KASARAGOD DISTRICT.

BY ADV. SRI.KALEESWARAM RAJ

RESPONDENTS:

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1. **STATE OF KERALA, REPRESENTED BY**
   SECRETARY TO GOVERNMENT, DEPARTMENT OF GENERAL
   EDUCATION SECRETARIAT, THIRUVANANTHAPURAM.

2. **KERALA PUBLIC SERVICE COMMISSION,**
   REPRESENTED BY THE SECRETARY,
   KERALA PUBLIC SERVICE COMMISSION, PATTOM,
   THIRUVANANTHAPURAM.

3. **THE DEPUTY DIRECTOR OF EDUCATION,**
   KASARAGOD.

4. **THE DISTRICT OFFICER,**
   KERALA PUBLIC SERVICE COMMISSION, KASARAGOD.

BY SR. GOVERNMENT PLEADER SRI.T.T.MUHAMOOD
BY ADV. SRI. P.C. SASIDHARAN, SC, KPSC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

WPC.NO.29667/2005 F

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE NOTIFICATION WHICH WAS PUBLISHED IN MATHRUBHUMI THOZHIL VARTHA DTD. 7/05/2005.

EXT.P2: COPY OF THE MEMO DTD. 30/09/2005 ISSUED BY THE PSC.

EXT.P3: COPY OF G.O.(MS) NO.120/99/G.EDN. DTD. 25/05/1999.

2ND RESPONDENT'S EXHIBIT:

EXT.R2(A): COPY OF THE JUDGMENT IN O.P.NO.19834/2002 DTD. 14/08/2002.

/TRUE COPY/

P.S.TO JUDGE

KSS

A.K. Basheer, J.

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W.P(C) No.29667 of 2005

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Dated this the 3rd day of August, 2007.

J U D G M E N T

Learned counsel for the petitioner submits that in view of the fact that one vacancy of HSA (Malayalam) under the category earmarked for the ministerial staff has been reported to the Commission and also since the Commission has issued a notification pursuant thereto on June 12, 2007, no further orders are necessary in this writ petition.

2. In fact the Commission has got a definite case that the petitioner has filed the writ petition under a misapprehension. The Commission had not invited any application from the departmental candidates under the above quota as contended by the petitioner. The vacancy was reported to the Commission only on August 12, 2005. However petitioner had filed the writ petition on the basis of a news paper report as could be seen from Ext.P1. It is contended by the learned Standing Counsel that at the relevant point of time when Ext.P1 paper report came, the Commission had not taken a decision to notify the post. Now a decision has been taken and notification has been issued on June 12, 2006. Anyhow, I do not propose to go into that area of controversy in view of the intervening development.

The writ petition is closed with a direction to the Commission to ensure that the selection process is completed without any delay.

A.K. Basheer
Judge.

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